

The Honorable Michael Heavey
Trial Date: Monday, June 27, 2011, 9:00 a.m.

SUPERIOR COURT OF WASHINGTON IN AND FOR KING COUNTY

BALLARD PRESERVATION ASSOCIATION,)
LLC, a Washington Limited Liability Company)
[a.k.a, "Ballard Preservation Association"];)
DALE JECH; and DENNIS MASHEK,)

No. 11-2-04829-2SEA

Petitioners / Plaintiffs,)

ORDER DENYING LUPA
PETITION

v.)

THE CITY OF SEATTLE, a Washington)
municipal corporation; COMPASS CENTER)
BALLARD LLC, a Washington Limited)
Liability Company [a.k.a. "Compass Center"];)
and RONDI SUSORT,)

Respondents / Defendants.)

This matter comes before the Court on the Land Use Petition Act (LUPA) Petition & Declaratory Judgment Complaint filed on January 27, 2011, (the "LUPA Petition"), pursuant to Chapter 36.70C RCW by Petitioners Ballard Preservation Association, Dale Jech, and Dennis Mashek (collectively, the "Petitioners").

The Court having considered the pleadings and files herein, and having heard oral argument of the parties and being thus and otherwise fully advised of the premises hereof,

IT IS HEREBY ORDERED, JUDGED, AND DECREED that:

ORDER DENYING LUPA PETITION - 1

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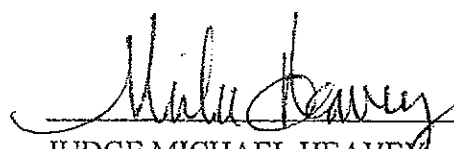
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- 1. Petitioners' LUPA Petition is DENIED, and the City's decisions shall be and hereby are AFFIRMED. All of the claims raised in Petitioners' LUPA Petition and shall be and hereby are dismissed with prejudice.
- 2. Judgment is hereby entered in favor of Respondent/Defendant City of Seattle and Respondent/Defendant Compass Center Ballard LLC and against Petitioners, consistent with this Order.


DONE IN OPEN COURT this 5th day of July, 2011.



 JUDGE MICHAEL HEAVEY

Presented by:

GORDONDERR LLP

By: 

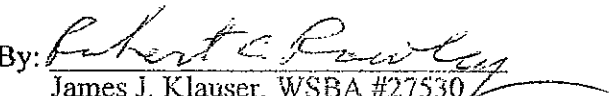
 Brent Carson, WSBA #16240
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 Attorneys for Respondent/Defendant
 Compass Center Ballard LLC

City of Seattle


 by Patricia Downs #25276

Copy Received; Approved for Entry;

ROWLEY & KLAUSER LLP

By: 

 James J. Klauser, WSBA #27530
 Robert C. Rowley, WSBA #4765
 Attorneys for Petitioners/Plaintiffs

ORDER DENYING LUPA PETITION - 2

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